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ABSTRACT

A study was conducted to compare the College of Marin's (CM's) ethnic profile for fall 1979 credit students and for full-time tenured or tenure track faculty employed in spring 1980 with local, regional, and state census data for 1980. The number and percentage of Blacks, Hispanics, Asian-Pacific Islanders, and Native Americans were tabulated for the college as a whole and for six academic departments (i.e., physical education, vocational education, social science, natural science, humanities, and instructional/student services). In addition, the student population at CM was contrasted with state and Bay Area patterns of student enrollment. Study findings included the following: (1) Black faculty accounted for 3.14% of the instructors at CM, compared to a 2.46% Black representation in Marin County, a 9.01% distribution in the Bay area, and a 6.35% representation in the state; (2) Hispanic faculty accounted for 1.89% and Asian-Pacific Islanders 3.14% of the college total; (3) there were no Native American faculty members at CM, although the county representation was 0.35%, Bay Area 0.63%, and state 0.7%; (4) of the students at CM, 2.8% were Black, 3.2% were Hispanic, 3.2% were Asian-Pacific Islander, and 0.9% were Native American; (5) within Marin County, 2.46% of the population was Black, 4.14% Hispanic, 2.44% Asian-Pacific Islander, and 0.35% Native American. The study report includes a literature review and a discussion of the implications of the findings for affirmative action at CM. (HB)

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AFFIRMATIVE ACTION AT COLLEGE OF MARIN:
A DEMOGRAPHIC ANALYSIS OF FACULTY AND STUDENTS

by

Peter A. Kassebaum, M.A.

College of Marin

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ABSTRACT

The purpose of this practicum was to develop materials which could be of use to the College of Marin in the area of Affirmative Action. This practicum was a direct response to an expressed need for more depth in the creation of data which could be used to evaluate affirmative action. The practicum focused upon full-time tenured or tenure-track faculty employed at College of Marin during Spring 1980 and credit students enrolled during Fall 1979.

Procedures were designed to facilitate future comparisons. Conceptually the practicum relied upon governmental data to create comparative populations. California, the nine Bay Area counties, the four North Bay counties and Marin County served as comparative data bases. Local distribution of ethnicity was measured against these groupings; variations were computed through an arithmetic process with the smaller percentage subtracted from the larger. A plus or a minus was assigned to the degree of variance for College of Marin. In addition, the student population was compared to Bay Area and State enrollment for 1979. Tables were constructed, along with summaries, to enable comparison and updating.

The study revealed that College of Marin displayed a greater ethnic mix among student enrollment when compared to faculty. However, the Bay Area, North Bay and State were far more heterogeneous in regards to ethnic diversity. The local County was also seen as a key variable in that its profile was overwhelmingly white; the defined service area was Marin County; therefore, student mixture was directly influenced. Faculty representation was also affected, since many were already living in the area when employed by the College. They tended to reflect the ethnic and racial traditions of the County.

The practicum illustrated that College of Marin was not in compliance with an absolute percentage distribution for minority representation and was therefore at some risk in regards to the possibility of a challenge arising in relation to hiring practices. Another variable was the relatively small number of qualified minority M.A. graduates for 1975-76, the last period when full-time hiring of numerous faculty

took place. The legal research illustrated that quotas as absolutes were illegal, while institutions were still held responsible for ethnic diversity. A shrinking of the job market and fiscal problems have fitted together in a lock and key relationship to limit the potential of large scale hiring to alter the present imbalance. The data needs to be enlarged by the College to include Vietnam veterans, women, those over forty, and the disabled, to make it a more encompassing document.

Recommendations revolved around the need to create a full-time affirmative action position to monitor affirmative action and the need to update materials and recruit faculty from a wider base whenever possible. Faculty recruitment will be hindered because of budgeting cutbacks, thus the services of an affirmative action specialist will become important to advise the College of alternatives regarding matters connected with affirmative action.

TABLE OF CONTENTS

INTRODUCTION 1

BACKGROUND AND SIGNIFICANCE. 4

PROCEDURE. 8

RESULTS. 13

DISCUSSION, IMPLICATIONS AND RECOMMENDATIONS . . . 30

ENDNOTES 37

REFERENCES CITED 40

APPENDIX 41

TABLES

1. Faculty Racial and Ethnic Distribution for College of Marin, 1980 14

2. Faculty Racial and Ethnic Distribution for Social Science 16

3. Faculty Racial and Ethnic Distribution for Natural Science. 17

4. Faculty Racial and Ethnic Distribution for Physical Education 19

5. Faculty Racial and Ethnic Distribution for Humanities 21

6. Faculty Racial and Ethnic Distribution for Instructional/Student Services 23

7. Faculty Racial and Ethnic Distribution for Vocational/Technical 24

8. Student Racial and Ethnic Distribution for College of Marin, Fall 1979. 26

9. Racial and Ethnic Distribution - Fall 1979 - for College of Marin, Bay Area Community Colleges, and California Community Colleges 28

INTRODUCTION

The purpose of this practicum was to assess College of Marin's demographic patterns as they related to affirmative action. Current 1980 census data was compared with tenured and tenure-track faculty and credit student representation for the appropriate affirmative action categories. The categories which were examined included ethnicity and race coupled with comparisons to populations. It was the attempt of this study to illustrate ethnic and racial distribution for full-time faculty and credit students and to demonstrate that geographical and cultural factors impacted upon ethnic and racial diversity for the College. Numerous federal laws, executive orders and contractural requirements with state and national agencies require measurement of affirmative action.[1]

In the past, College of Marin has been unable to adequately gather and interpret data which relates to affirmative action. This has created a problem which needs to be addressed. Legal actions against the College have utilized data which was dated or unrepresentative of the actual degree of ethnicity and racial admixture contained within the College.

Responsibility for institutional research has been traditionally assigned to the administration. However, the President of College of Marin has encouraged faculty to become involved in institutional research. The district and college administration have acknowledged that this

report will assist the College in meeting requirements for mandated reporting.

The practicum examined the following academic areas at College of Marin for numerical and percentage representation of affirmative action groupings:

(1) Physical Education

(2) Vocational Education

(3) Social Science

(4) Natural Science

(5) Humanities

(6) Instructional/Student Services

(7) College Totals

The distribution of Blacks, Hispanics, Asian-Pacific Islanders and Native Americans was tabulated for each area and contrasted to comparative populations.* Percentage comparisons were made to Marin County, four North Bay counties, the nine Bay Area counties, and the State of California's demographic profiles from the 1980 census. Variance between College of Marin and the geographical data bases demonstrated the College's level of performance by using the larger comparative populations and their ethnic distribution as a guide.

Student traits were examined from a similar perspective; total credit college enrollment was used to generate percentages. Regional and state credit enrollments were

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*1980 census data was unavailable for sexual distribution for the comparative populations.

contrasted to local patterns. Percentage variance between College of Marin's enrollment and regional and state totals were used as a measure of affirmative action performance. Tables were constructed to facilitate future replication and comparisons.

The specific objectives for this practicum were:

(1) To create an updated document detailing affirmative action performance by the College (students and faculty).

(2) To develop a format which can be used for future comparative study.

(3) To develop faculty input in local research.

The practicum helped to fill an identified need at College of Marin for more detailed information related to affirmative action reporting and performance. It will be used by the College to bring it close to compliance. The College is currently involved in numerous legal actions relating to affirmative action. This study addressed important areas of institutional patterning regarding ethnicity and race.

BACKGROUND AND SIGNIFICANCE

The study of affirmative action at College of Marin was within the scope of the module for Politics, Law, and Economics of Higher Education. ". . . Non-discrimination is perhaps one of the most heavily legislated and regulated areas for postsecondary education law."[2] One method of ascertaining whether institutional discrimination exists utilizes a demographic approach. Data is gathered to indicate percentage representations for the larger community and the institution. Comparisons to outside data bases can help to demonstrate whether discrimination might be present. Legally, courts have been very willing to accept this form of statistical evidence.[3]

Social variables can impact directly and indirectly upon an institution's affirmative action profile. The following traits have been identified by the author as key variables which might influence local patterns of student enrollment and faculty hiring profiles.

(1) The relative size of the community.

(2) The ethnic and racial diversity of the community.

(3) The relative socio-economic mix of the community.

(4) The cost of housing in the community.

(5) The limitations imposed by tenure and previous hirings within the institution.

(6) The legal limitations regarding student

recruitment and community college boundaries.

(7) The cummulative impact of community cultural traditions upon all segments of the society.

James Koerner, in Who Controls Education?, argues that education is not a monolithic structure devoid of outside influence. Koerner examines political pressures which arise from: unions, governmental agencies, economic blocks, regional groups and the legal arena. Affirmative action is examined from several perspectives.[4] Alfreda Johnson and Richard Turner III, in "The Problems of Minorities," reflect upon the role of minority faculty and minority students in the community colleges. "Community colleges do not exist in vacuums. They are microcosms of all the elements of their varied communities, reflecting their mores, philosophies, prejudices, and myths."[5] Minority patterns for faculty and students within community colleges are subject to cultural pressures.

Blocker, Bender and Martorana, in The Political Terrain of American Postsecondary Education, emphasized that the courts, federal government and the executive branch have impacted upon postsecondary education. Institutional compliance has had a major influence on the very makeup of postsecondary education. Community forces, including regional, state, local and national groups, also exert their pressure. Educational institutions respond to outside policies.

> Because the Federal government is being called on to establish and implement national goals in an increasing

> range of social, economic and cultural aspects of American life, postsecondary education is becoming increasingly caught up in Federal politics.[6]

Patricia Cross in Beyond the Open Door or the New Student,[7] John Centra in "College Enrollment for the 80's,"[8] and Lyman Glenny's Demographic and Related Issues for Higher Education in the 1980's[9] highlighted a number of traits pertaining to the enrollment of women and minorities. The major contentions of Centra, Glenny and Cross revolved around the projected decrease of traditional students. No longer would colleges have a majority of white males between the ages of 18-21 to draw upon; as a consequence, enrollment was projected to become more diverse and reflective of the larger culture. Changes in the law exerted pressures to open up opportunities for both students and the graduates of institutions of higher education. As opportunities for higher education increased, women, minorities and older students entered colleges and universities in larger numbers.

However, previous cultural traditions, earlier patterns of enrollment, and population distribution impacted upon the actual numbers of new or non-traditional students. Thus, when governmental authorities began to compare the general population to actual enrollment, smaller numbers of new students or non-traditional students were noted. This had an impact upon the numbers of qualified women, minorities and older students who were ultimately available for faculty employment. The Federal and State governments have

been interested in examining the relationship between the larger society and the institutions of higher education.

Numerous legal references were examined. Case studies disclosed that the following were frequently associated with legal activity regarding affirmative action.[10]

(1) Civil Rights Acts, 1866, 1871

(2) 14th Amendment - U.S. Constitution

(3) Executive Order 11246

(4) Title VII Civil Rights Act of 1964[11]

Major sources for comparative data were California Community Colleges Student Profile, Fall 1979[12] and California Information Digest 80.[13] The 1980 census was the primary data base for updated demographic materials pertaining to ethnic distribution within the State, the North Bay, the Bay Area, and Marin County.[14]

In summary, the literature contains a complex body of legal, social and political information which combines to form an intricate body of knowledge. Public policy, laws and economics exert their influence upon affirmative action.

PROCEDURE

The methodology employed in this practicum was based upon a comparative model. Statistical information concerning local, regional and state populations was obtained from a variety of governmental sources.[15] Fall 1979 student enrollment patterns were derived from data made available through the California Community College Chancellor's Office.[16] The distribution of faculty ethnicity for College of Marin by academic area and the total college profile was obtained from raw data compiled in a Spring 1980 tabulation of ethnicity.[17]

Affirmative action analysis was limited to the following groups--Black, Hispanic, Native American, Asian and Pacific Islanders. Comparative data from the "1980 Advance Census Report" was not available for sex ratios.[18] Definitions regarding the specific ethnic categories are contained in the Appendix.*

A geographical approach was utilized to compare College of Marin's ethnic distribution with other populations in order to ascertain the degree of variation between the college and the larger community. Social distance and geographical proximity were fused in this study. Marin County, four North Bay counties, the nine Bay Area counties, and the State of California served as the reference

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*Native American was substituted for the Indian, Eskimo and Aluet category which was in the 1980 census report.

No significance other than geographic proximity is implied in the regional groupings.[20]

The number of community college students in the Bay Area was placed at 260,624. State enrollment totaled 1,042,496[21] for Fall 1979. College of Marin enrolled 6,762 students for the same time period.[22] A minor limitation exists with the above data. Credit students attending during the first census week and subsequently dropping some or all of their classes are included in the data and considered to be carrying the class load of record at first census week.[23] All student populations were subject to this limitation.

The figures within the "1980 Advance Census Report" are provisional; this explains in part why listed county and state totals did not always tabulate with the same result.[24] It is probable that changes will occur in the data; however the "1980 Advance Census Report" is currently being used as an official document by county and state agencies.

The geographical regions for the study were:

(1) Marin County (N = 222,952)[25]

(2) Nine Bay Area Counties

- (a) Alameda (N = 1,105,379)
- (b) Contra Costa (N = 657,252)
- (c) Marin (N = 222,952)
- (d) Napa (N = 99,199)
- (e) San Francisco (N = 678,974)
- (f) Solano (N = 235,203)

(g) Sonoma (N = 299,827)

(h) Santa Clara (N = 1,295, 071)[26]

(3) State of California (N = 23,668,562)[27]

(4) Four North Bay Counties

(a) Marin (N = 22,952)

(b) Napa (N = 99,199)

(c) Solano (N = 235,203)

(d) Sonoma (N = 299,827)[28]

The departments or areas which were examined within College of Marin were:

(1) Social Sciences (N = 33)

(2) Vocational/Technical (N = 22)

(3) Humanities (N = 50)

(4) Physical Education (N = 9)

(5) Student Services (N = 21)

(6) Natural Sciences (N = 24)[29]

The total population of tenured or tenure-track faculty for Spring 1980 was 159. Part-time or hourly faculty were not examined.

In summation, the study compared College of Marin's ethnic profile for credit students Fall 1979 and full-time tenured or tenure-track faculty Spring 1980 to geographical data bases which were drawn from official governmental sources. Tables were constructed to facilitate comparison between populations and to illustrate variations. The latter was expressed in percentages. The methodology allows an observer the opportunity to weigh affirmative action at

College of Marin compared to the larger community. Numerous civil rights laws are based upon compliance data.[30] This study was designed to be used in this vein.

Replication of the study is possible if one uses the same data. Interpretation should take into account the various affirmative action laws, guidelines and policies which impact upon policy and compliance. Methodologically, the practicum has one weakness; the variation found within the Advance 1980 Census Report. The Advance 1980 Census Report has unspecified statistical errors and should not be regarded as totally accurate. However, it will be some time until the figures are revised by the government.

RESULTS

This section details findings pertaining to affirmative action at College of Marin. Full-time tenured or tenure-track employees at College of Marin for Spring 1980 and credit students enrolled for Fall 1979 were compared to ethnic profiles based upon local, regional and state data bases. Black, Hispanic, Asian-Pacific Islanders and Native Americans were the ethnic categories which comprised the study. The "1980 Advance Census Reports" was the source for comparative figures.[31]

The student population at Marin was also contrasted to State and Bay Area patterns of student enrollment according to ethnic categorization. The California Community College Chancellor's Office was the primary source for Fall 1979 figures.

Faculty Racial and Ethnic Distribution

College Totals

Table 1 was designed to illustrate faculty distribution by percentage among the ethnic groupings utilized by the 1980 census and College of Marin. This table details percentages for Blacks, Hispanics, Asian-Pacific Islanders, and Native Americans. It contains ethnic population distribution percentages for Marin County, the greater San Francisco Bay Area, California, and the North Bay Area. The percentage variations between the comparative data bases serve as possible indicators of the degree of ethnic balance

or imbalance which exists for the total full-time faculty.

Table 1

Faculty Racial and Ethnic Distribution for College of Marin, 1980

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 159*	5	3	5	ø
% of N	3.14	1.89	3.14	ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M. Variance**	+ .68	- 2.25	+ .70	- .35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M. Variance**	-5.87	-10.32	-5.55	- .63
% State	6.35	15.05	4.37	.70
%C.O.M. Variance**	-3.21	-13.96	-1.23	- .70
% North Bay	4.07	7.58	3.57	.29
% C.O.M. Variance**	- .93	- 5.69	- .23	- .29

*Physical Education = 9
Vocational/Technical = 22
Social Science = 33
Natural Science = 24
Humanities = 50
Instructional/Student Services = 21

**C.O.M. = College of Marin

Summary of Data

Black faculty accounted for 3.14 percent; this compared to a 2.46 percent Black representation in the County. The Bay Area distribution was 9.01 percent; the College was 5.87 percent lower. State data profiled a 6.35 percent Black population; College of Marin was 3.21 percent lower.

North Bay demographics showed that 4.07 percent were Black; College of Marin was .93 percent lower in the percentage of Black faculty.

Hispanic faculty accounted for 1.89 percent of the College total; this compared to a County representation of 4.14 percent. College of Marin was 2.25 percent lower. The Bay Area Hispanic population was 12.21 percent; College of Marin was 10.32 percent lower. State figures demonstrated 15.05 percent Hispanic, with the College 13.96 percent lower. North Bay data displayed 7.58 percent Hispanic; the College was 5.69 percent lower.

Asian-Pacific Islanders comprised 3.14 percent of the faculty; this compared with a County distribution of 2.44 percent, a .70 percent difference. Bay Area data reflected an 8.69 percent distribution; College of Marin was 5.55 percent lower. The North Bay profile was 3.57 percent; College of Marin was .23 percent lower.

Native American faculty were not found at the College of Marin. County representation was .35 percent, Bay Area .63 percent, State .70 percent and North Bay .29 pe-cent. The College was lower by the preceding percentages.

Tables 2 through 7 were designed to illustrate faculty distribution by percentage among the ethnic groupings utilized by the 1980 census and College of Marin. These tables detail percentages for Blacks, Hispanics, Asian-Pacific Islanders, and Native Americans. They contain ethnic population distribution percentages for Marin County,

the greater San Francisco Bay Area, California, and the North Bay. The percentage variations between the particular academic area and the comparative data bases serve as possible indicators of ethnic balance or imbalance which exists among full-time faculty for the respective departments or area groupings.

Table 2

Faculty Racial and Ethnic Distribution for Social Science*

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 33	2	ø	ø	ø
% of N	6.0	ø	ø	ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M.** Variance	+3.54	- 4.14	-2.44	-.35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M.** Variance	-3.01	-12.21	-8.69	-.63
% State	6.35	15.05	4.37	.70
% C.O.M.** Variance	- .35	-15.05	-4.37	-.70
% North Bay	4.07	7.58	3.57	.29
% C.O.M.** Variance	+1.93	- 7.58	-3.57	-.29

*History
Political Science
Psychology
Sociology
Anthropology
Ethnic Studies
Human Services
Fieldwork

**C.O.M. = College of Marin

Table 3

Faculty Racial and Ethnic Distribution for Natural Science*

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 24	1	1	1	ø
% of N	4.16	4.16	4.16	ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M.** Variance	+2.02	+ .02	+1.72	-.35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M.** Variance	-4.85	- 8.05	-4.53	-.63
% State	6.35	15.05	4.37	.70
% C.O.M.** Variance	-2.19	-11.69	- .21	-.70
% North Bay	4.07	7.58	3.57	.29
% C.O.M.** Variance	+ .09	- 3.42	+ .79	-.29

*Life Sciences
Mathematics
Physical Sciences

**C.O.M. = College of Marin

Social Science Summary of Data

Black faculty accounted for 6 percent of the Social Science faculty; this was 3.54 percent higher than Black representation in the County. Social Science was 3.01 percent lower than the 9.10 percent Bay Area profile and approximately equal to the State's 6.35 percent Black distribution. The North Bay profile was 4.07 percent; Social Science was higher by 1.93 percent.

Hispanic representation was absent in Social Science.

The department was 4.14 percent lower than the County, 12.21 percent lower than the Bay Area, 15.05 percent lower than the State and 7.58 percent lower than the North Bay.

Native American faculty were not found in the department. Thus, they were .35 percent less than the County, .63 percent less than the Bay Area, .70 percent less than the State and .29 percent less than the North Bay.

Natural Science Summary of Data

Black faculty accounted for 4.16 percent, while the percentage of Marin County's Black population was 2.46 percent. The department was 2.02 percent higher in representation. Bay Area and State profiles revealed that the department was 4.85 percent lower than the Bay Area and 2.19 percent lower than the State distribution. The North Bay profile was almost identical to the Natural Sciences; both were at approximately 4 percent.

Hispanic distribution within Marin County was placed at 4.14 percent; the department was approximately the same at 4.16 percent. The Bay Area profile was 12.21 percent for Hispanics; College of Marin's Natural Science Department was 8.05 percent lower. State data placed the Hispanic population at 15.05 percent; Natural Science was 11.69 percent lower. Population comparisons between the North Bay profile and the department showed a 3.42 percent lower representation within the department.

Asian and Pacific Islanders comprised 2.44 percent of Marin County. They were 4.16 percent of the department,

a 1.72 percent higher representation. The Bay Area profile was 8.69 percent; Natural Science was 4.53 percent lower. State distribution was 4.37 percent; Natural Science was virtually identical with 4.16 percent. North Bay data placed 3.57 percent of the population as Asian or Pacific Islanders; Natural Science was close with approximately 4 percent.

Native American faculty were not in the Natural Science area. They comprised .35 percent of the County, .63 percent of the Bay Area, .70 percent of the State, and .29 percent of the North Bay.

Table 4

Faculty Racial and Ethnic Distribution for Physical Education

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 9	Ø	Ø	1	Ø
% of N	Ø	Ø	11.11	Ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M.* Variance	-2.46	- 4.14	+8.67	-.35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M.* Variance	-9.01	-12.21	+2.42	-.63
% State	6.35	15.05	4.37	.70
% C.O.M.* Variance	-6.35	-15.05	+6.74	-.70
% North Bay	4.07	7.58	3.57	.29
% C.O.M.* Variance	-4.07	- 7.58	+7.54	-.29

*C.O.M. = College of Marin

Physical Education Summary of Data

Black faculty were not found within this department. Physical Education was lower by 2.46 percent compared to Marin County, 9.01 percent compared to the Bay Area, lower than the State by 6.35 percent, and lower than the North Bay by 4.07 percent.

Hispanic faculty were not found in this department. Physical Education was lower by 4.14 percent to the County, 12.21 percent to the Bay Area. It was 15.05 percent lower than the State and 7.58 percent below the North Bay.

Asian and Pacific Islanders accounted for 11.11 percent of Physical Education faculty. The County exhibited a 2.44 percent Asian-Pacific Islander profile; the department was higher by 8.67 percent. Bay Area data showed 8.69 percent representation; the department was 2.42 percent higher. State data was 4.37 percent; Physical Education was 6.74 percent higher. The North Bay was 3.57 percent; the department was 7.54 percent higher.

Native American faculty were not found within this department. Physical Education was lower by 2.46 percent compared to Marin County and 9.01 percent below the Bay Area. The data illustrates that representation was 6.35 percent below the State and 4.07 percent below the North Bay.

Table 5

Faculty Racial and Ethnic Distribution for Humanities*

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 50	ø	1	ø	ø
% of N	ø	2.0	ø	ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M.** Variance	-2.46	- 2.14	-2.44	-.35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M.** Variance	-9.01	-10.21	-3.69	-.63
% State	6.35	15.05	4.37	.70
% C.O.M.** Variance	-6.35	-13.05	-4.37	-.70
% North Bay	4.07	7.58	3.57	.29
% C.O.M.** Variance	-4.07	- 5.58	-3.57	-.29

*Art
Architecture
Communications
Drama
Foreign Language
Humanities
Music
Philosophy
English
Photography

**C.O.M. = College of Marin

Humanities Summary of Data

Black faculty were not represented in the Humanities Department. The department was lower by 2.46 percent in Black faculty representations when compared to Marin County. Bay Area representation was 9.01 percent; Humanities was 9.01 percent lower. State data illustrated that Humanities

was 6.35 percent lower. The North Bay was 4.07 percent Black; Humanities was lower by 4.07 percent.

Hispanic representation was 2 percent for the department. This was 2.14 percent lower than the County and 10.21 percent lower than the Bay Area. State profile showed 13.05 percent more Hispanics than did the department. North Bay data illustrated that 7.58 percent were Hispanic; Humanities was 5.58 percent lower in Hispanic representation.

Asian and Pacific Islanders were not represented in the Humanities. Thus, the department was lower by 2.44 percent compared to the County, 8.69 percent compared to the Bay Area, 4.37 percent to the State and 3.57 percent to the North Bay.

Native Americans were not represented in the Humanities. Therefore, the Humanities area was lower by .35 percent compared to the County, .63 percent Bay Area, .70 percent State and .29 percent North Bay.

Instructional/Student Services Summary of Data

Black faculty comprised 4.76 percent of Instructional and Student Services; this was 2.30 percent higher than the County distribution. Bay Area data illustrate that the department was 4.25 percent below the percentage of Blacks in the region. State data illustrate that the Instructional and Student Services area was 1.59 percent lower while North Bay figures reflected a .69 percent higher distribution.

Table 6

Faculty Racial and Ethnic Distribution for Instructional/Student Services

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 21	1	ø	2	ø
% of N	4.76	ø	9.52	ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M.* Variance	+2.30	- 4.14	+7.08	-.35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M.* Variance	-4.25	-12.21	+ .83	-.63
% State	6.35	15.05	4.37	.70
% C.O.M.* Variance	-1.59	-15.05	+5.15	-.70
% North Bay	4.07	7.58	3.57	.29
% C.O.M.* Variance	+ .69	- 7.58	+6.15	-.29

*C.O.M. = College of Marin

Hispanic representation was not present in the department. Thus, it was 4.14 percent lower than the County, 12.21 percent lower than the Bay Area, 15.05 percent lower than the State, and 7.58 percent below the North Bay.

The department was 7.08 percent higher in Asian and Paciific Islanders when compared to the County. Bay Area representation was 8.69 percent, with the department slightly higher by .83 percent. State data illustrated a 4.37 percent distribution; Instructional/Student Services was 5.15 percent higher. The North Bay was 3.57 percent; department data showed a 6.15 percent higher distribution.

Native American faculty were not represented in the area. As a consequence, the department was .35 percent lower for County comparisons, .63 percent for Bay Area, .70 percent for the State and .29 percent North Bay.

Table 7

Faculty Racial and Ethnic Distribution for Vocational/Technical*

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 22	1	1	1	ø
% of N	4.55	4.55	4.55	ø
% Marin County	2.46	4.14	2.44	.35
% C.O.M.** Variance	+2.09	+ .41	+2.11	-.35
% Bay Area	9.01	12.21	8.69	.63
% C.O.M.** Variance	-4.46	- 7.66	-4.14	-.63
% State	6.35	15.05	4.37	.70
% C.O.M.** Variance	-1.80	-11.30	+ .18	-.70
% North Bay	4.07	7.58	3.57	.29
% C.O.M.** Variance	+ .48	- 3.03	+1.18	-.29

*Automotive Technology
Dental Assisting
Registered Nursing
Machine Metals Technology
Welding
Home Economics
Vocational Education

**C.O.M. = College of Marin

Vocational/Technical Summary of Data

Black faculty distribution within the Vocational/Technical Department was 4.55 percent; this was 2.09 percent greater than the County percentage. The department was 4.46 percent lower than the Bay Area and 1.80 percent lower than the State. North Bay data showed the department as slightly higher in Black representation by .48 percent.

Hispanic faculty comprised 4.55 percent of the department; this was .41 percent greater than their Marin County representation. Bay Area Hispanics accounted for 12.21 percent of the population; the department was 7.66 percent lower. The State percentage showed 15.05 percent Hispanic; the Vocational/Technical Department was 11.30 percent lower. North Bay data recorded a 3.03 percent lower representation.

Asian-Pacific Islanders accounted for 4.55 percent of the Vocational/Technical area. This was 2.11 percent greater than the County distribution and 4.14 percent lower than the Bay Area profile. The State profile was virtually identical to the department. Vocational/Technical was 1.18 percent ahead of the North Bay representation.

Native American representation was absent from this department. Lowered representation was found for County comparisons by .35 percent, Bay Area .63 percent, State .70 percent and North Bay .29 percent.

Student Racial and Ethnic Distribution

The following table (Table 8) reflects ethnic and

racial enrollment during the first census week of Fall 1979. Data was compared to 1980 census profiles for Marin County, the North Bay, Bay Area, and State of California. Variance between College of Marin and the comparative populations was computed.

Table 8

Student Racial and Ethnic Distribution for College of Marin, Fall 1979

Population Distributions	Black	Hispanic	Asian-Pacific	Native American
N = 6,762*				
% of N	2.80	3.20	3.20	.90
% Marin County**	2.46	4.14	2.44	.35
% College of Marin Variance	+ .34	- .94	+ .76	+.55
% Bay Area**	9.01	12.21	8.69	.63
% College of Marin Variance	-6.21	- 9.01	-5.49	+.27
% State**	6.35	15.05	4.37	.70
% College of Marin Variance	-3.55	-11.85	-1.17	+.20
% North Bay**	4.07	7.58	3.57	.29
% College of Marin Variance	-1.27	- 4.38	- .37	+.61

*Source: College of Marin Registrar.

**Source: U.S., Department of Commerce, Bureau of the Census, 1980 Census of Population and Housing Advance Reports PHC80-V-6 California, March 1981.

Summary of Data

Black students at College of Marin accounted for 2.80 percent of the student population. This was .34 percent above the Black distribution within the County. Bay Area figures placed Black students at Marin 6.21 percent below the 9.01 Bay Area population distribution. State data illustrated that Marin was 3.55 percent lower while the North Bay comparison illustrated that Marin was 1.27 percent lower for Black student representation when compared to the general North Bay population.

Hispanic students comprised 3.20 percent of the student population; this was .94 percent lower than County figures. Bay Area statistics placed the population at 12.21; here the College of Marin was 9.01 percent lower. State data illustrated that Marin was 11.85 percent lower. College enrollment of Hispanics was 4.38 percent below the North Bay distribution of Hispanics.

Asian-Pacific Islanders were 3.20 percent of College of Marin's enrollment. This was .76 percent higher than the County distribution. Marin was 5.49 percent below the Bay Area figures and 1.17 percent below State data. North Bay comparison indicated a .37 percent lower enrollment for Marin when projected against the regional profile.

College of Marin was able to enroll .90 percent Native American students; this was .55 percent higher than the County. Native American representation at the college was .27 percent higher than the Bay Area, .20 percent higher

than the State and .61 percent higher than the North Bay.

Table 9 reflects racial and ethnic enrollment during the first census week of Fall 1979. It includes data from College of Marin, Bay Area community colleges and the total student population of California community colleges for the same period.

Table 9

Racial and Ethnic Distribution - Fall 1979 - for College of Marin, Bay Area Community Colleges, and California Community Colleges

Population	Black	Hispanic	Asian-Pacific	Native American
College of Marin* (N = 6,762)	2.80%	3.20%	3.20%	.90%
Bay Area Community Colleges** (N = 260,624)	10.58%	6.90%	7.96%	1.19%
State of California Community Colleges** (N = 1,042,496)	9.70%	10.92%	5.19%	1.45%

*Source: College of Marin Registrar

**Source: Data drawn from California Community Colleges Student Profile, Fall 1979 Credit Enrollment, Table 32, p. 55.

Summary of Data

The number of Black students at College of Marin was placed at 2.80 percent. According to the ethnic table, Black enrollment in the Bay Area was 10.58 percent. College of Marin was 7.78 percent below the Bay Area profile. The State enrollment of Black students was 9.70 percent; Marin was 6.9 percent lower.

Students of Hispanic origin represented 10.92 percent, or almost 11 percent, of total enrollment at the State level. College of Marin enrolled 3.20 percent students of Hispanic origin. A 7.72 percent higher enrollment for Hispanic students was found in the State profile. Bay Area community colleges enrolled 6.90 percent students of Hispanic origin; this was 3.70 percent greater than College of Marin.

Students of Asian descent accounted for 3.20 percent of the enrollment at College of Marin. This compared to the Bay Area rate of 7.96 percent. The data from the table indicates that 4.76 percent fewer Asians were enrolled at College of Marin in 1979 when compared to the Bay Area. State enrollment of Asian students was placed at 5.19 percent. College of Marin ranked 1.99 percent below the 1979 enrollment rate of Asians at the State level.

According to the ethnic table, College of Marin enrolled a small number of Native American students; .90 percent were identified as being of Native American descent. Comparative data contained in the table indicates that College of Marin registered a slightly smaller number of Native Americans than either the Bay Area or State profiles. The Bay Area exhibited a .29 percent higher enrollment of Native Americans, while .55 percent more Native Americans were found in the State total.

DISCUSSION, IMPLICATIONS AND RECOMMENDATIONS

An analysis of data from the study illustrates that College of Marin did not exhibit a great deal of racial and ethnic variation. Comparative populations were more diverse. Profiles for Marin County and the North Bay tended to show a closer degree of patterning when compared to the College. It would appear that cultural and social factors can be related in part to differences between comparative populations. Ethnic diversity was not uniform throughout the Bay Area, nor was it uniform for the entire state. As a consequence, these regional variations impacted upon the variance which was exhibited for credit student enrollment and full-time tenured faculty at College of Marin.

Turner and Johnson state that community colleges are representative of the communities in which they exist.[32] Student enrollment was directly affected by the legal boundaries of the Marin Community College District.[33] Local student diversity reflects the ethnic and racial patterns of Marin County.[34] Thus, comparison to other data bases for student enrollment should take into account the fact that outside recruiting was rarely allowed.[35] Community colleges which are located in geographical areas which have a greater degree of ethnic and racial admixture have a higher probability based upon indigeneous diversity to exhibit a broader ethnic and racial mixture.

Faculty distribution was also impacted by the demographic composition of Marin County.[36] However, it was

appropriate to recruit faculty outside Marin County. It would appear that the faculty was reflective of local patterns of ethnicity and race. Marin County has been a "non-minority" area since the latter part of the nineteenth century.[37] Napa and Sonoma counties shared a somewhat similar history while Solano County has enjoyed a greater degree of diversity. The major barriers to non-White's stemmed from prejudice, discrimination, and the lack of heavy industry. Counties in the Bay Area which had a greater diversity usually exhibited traits which were conducive to "non-White" immigration.

Economic traits in Marin have served as a limiting factor. The average cost of a house in 1980 for Marin was $168,000.[38] This factor effectively eliminated non-White's and those below the upper middle class from the housing market. Rentals were also higher than in other areas; this too served as a distinct barrier.[39] Job opportunities in Marin tend to limit the potential for full-time employment; the majority of Marin's residents work out of the county.[40] Housing and jobs, along with economic traits, tend to make Marin a somewhat unattractive area for those who do not have economic power. Non-White's have traditionally comprised a large percentage of the poor in many areas. Thus, a class barrier has also limited non-White admixture. The college was subjected to the influence of historical tradition, class barriers, and de facto segregation. Unknown variables regarding hiring were:

(1) Advertising practices

(2) Job interview practices

(3) Latent or covert discrimination

(4) Overt discrimination.

All the above could have limited employment for protected groups.

Judicial precedents in civil rights cases has established the use of statistics as a method for documenting prejudice or discrimination. In particular, statistics can be used to illustrate the employment histories of institutions in regard to protected groups.

> It is well established that statistics may be used to demonstrate the existence of an adverse effect or "built-in headwind" against classes of persons protected by Title VII, and may thus force the defendent to justify those policies which contribute to a poor employment record of such classes of persons. As stated in one of the leading cases concerning racial discrimination, "statistics often tell much and courts listen." Recognizing this, it is now well established that Title VII permits the use of statistical probability to infer the existence of a pattern or practice of discrimination.[41]

It is conceivable that data of this type could be utilized in some form of legal action against the College.

The College's profile has been subjected to a variety of influences. Historical patterns of discrimination in the larger culture led to small numbers of non-White or protected group members with Master of Arts degrees.[42] The numerical disparity between protected and White candidates was imposing.[43] Just as more protected group members were getting Master of Arts degrees and community college credentials, the door to full-time employment began to close.

Enrollment declined for the College; this was part of a national trend; the result has been to limit employment opportunities. Today competition for part-time positions is intense; the region has a surplus of well qualified, experienced academics with advanced degrees who are either unemployed or underemployed.

There appears to be a problem if an institution attempts to limit hiring to protected groups only. Demograhically, the probability of protected group members securing employment equal to their representation in the population is almost impossible given the numbers involved. Thus, while an institution can be held accountable for ethnic and racial parity, it cannot use a quota to eliminate prior imbalances.

> . . . The [Supreme] Court added that Congress did not intend to guarantee a job to every person regardless of qualifications, and hence that the Act [Civil Rights Act of 1964] does not command that any person be hired simply because he was formerly the subject of discrimination, or because he is a member of a minority group, but that it only proscribes discriminatory preference for any group, minority or majority.[44]

In California, the court has held that hiring quotas were illegal, even if they were used to address previous imbalances.

> In order to eliminate racial and national origin employment discrimination, Berkeley, California, adopted an affirmative action program which required each department, job classification, or salary category to achieve and maintain no less than proportional employment for all minorities and women in each such area approximately equal to that of the percentage of each race and sex in the Berkeley population as a whole. . . . The program was held unlawful, the court saying that any rule requiring an absolute hiring preference in favor of minority groups to compensate for past discrimination is

> unlawful, since it is undesirable to create new invidious discrimination in order to heal the wounds of old invidious discrimination. The "cure must not rival the disease by providing legal sanctuary for a new crop of oppressive procedures, to be harvested by future generations." Hiat v Berkeley (Cal Super Ct) 9 CCH EPD ¶ 9969.[45]

The Civil Rights Act of 1866, Section 1981 of 42 USCS prevents racial discrimination in employment.

> . . . However, by its very terms, §1981 is not an affirmative action program. It is an equalizing provision, seeking to insure that rights do not vary according to race; it does not require that persons be accorded preferential treatment because of their race. The Civil Rights Act of 1866 guarantees blacks the same rights as, but not greater rights than, it guarantees whites.[46]

Here, quotas appear to be regarded as inappropriate. Preferential treatment is not required. What is required is equitable treatment, i.e., the same standards applied to all.

It would appear that the judicial system wants previous inequities removed, but the manner or solution is left up to the individual institution, with the ever present possibility of litigatory action based upon statistical evidence of prior discrimination. The judicial system has created a vast body of case law on the subject. What it has not created is a set of guidelines which could be realistically utilized to address a practical solution to the problem.

The area of affirmative action is quite complex; as competition for fewer and fewer jobs emerges, the likelihood of legal challenges based upon racial and ethnic imbalance might increase. Long term trends appear to indicate that economic barriers within the County will continue to restrict

ethnic and racial minority groups from increasing their numbers. Thus, student traits will be impacted. In addition, a number of authors have commented on the high minority birthrate compared to the low White birthrate.[47] In a period of declining enrollment, College of Marin will not benefit from the higher birthrate of minorities. Traditional college age students will decrease in numbers.

The recommendations revolve around three points. These are:

(1) To create a full-time position for an affirmative action officer, in order to keep abreast of the legal requirements and to develop and implement standardized procedures for all part-time and full-time hirings.

(2) To carry out affirmative action research for the College to determine the actual numbers of protected group members. Data needs to be gathered for the disabled, veterans, and those over forty-five, and to update the materials related to women.

(3) To actively recruit over a wide area when academic positions become available.

The specific objectives of this practicum were:

(1) To create an updated document detailing affirmative action performance by the College for students and faculty.

(2) To develop a format which can be used for future

comparative study.

(3) To develop faculty input in local research.

(4) To develop materials for use in mandated reporting.

In conclusion, affirmative action compliance at College of Marin has been influenced by a variety of external variables. Cultural traditions, patterns of housing, jobs, and economic factors have impacted the degree of diversity which was present for students and staff. As a consequence, it is extremely important to document the actual demographics of the institution and the comparative geographical areas. The complexity of legal compliance will require additional research plus a vigorous effort in student and faculty recruiting within the constraints of faculty cutbacks.

ENDNOTES

[1]Affirmative action reporting is mandated by Federal and State agencies. Source: Office of the President, College of Marin.

[2]Louis W. Bender and S. V. Martorana, The Politics, Law, and Economics of Higher Education (Fort Lauderdale: Nova University Press, 1980), p. 66.

[3]The Lawyers Co-operative Publishing Company, American Jurisprudence, XV (San Francisco: Bancroft Whitney, October, 1970), p. 527.

[4]James Koerner, Who Controls Education? (New York: Beacon Press, 1968).

[5]Alfreda Johnson and Richard Turner, III, "The Problems of Minorities," New Directions for Community Colleges: Humanizing Student Services, No. 8 (San Francisco: Jossey Bass, 1974), p. 59.

[6]Clyde E. Blocker, Louis W. Bender, and S. V. Martorana, The Political Terrain of American Postsecondary Education (Fort Lauderdale: Nova University Press, 1975), p. 130.

[7]Patricia Cross, Beyond the Open Door or the New Student (San Francisco: Jossey Bass, 1971).

[8]John Centra, "College Enrollment for the 80's," The Journal of Higher Education, 51:35, January/February, 1980.

[9]Lyman Glenny, "Demographic and Related Issues for the 1980's," The Journal of Higher Education, 51:372, July/August, 1980.

[10]The Lawyers Co-operative Publishing Company, p. 511.

[11]Dr. Louis Bender, Seminar materials presented Fall 1981, Nova University.

[12]California State Community College Chancellor's Office, California Community College Student Profile, Fall 1979 Credit Enrollment (Sacramento: State of California, 1980).

[13]California Postsecondary Commission Information Digest, 1980 (Sacramento: State of California, 1980), p. 24.

[14]U.S., Department of Commerce, Bureau of the Census, 1980 Census of Population and Housing Advance Reports P.H.C. 80-V-6 California, March 1981, pp. 1-20.

[15]Data was obtained from the Bureau of Census and the Marin County Planning Commission.

[16]C.C.C.S.P., Fall 1979 Credit Enrollment.

[17]Mandated reporting forms contained raw data; information was furnished through the Office of the President of College of Marin.

[18]Census data pertaining to sexual distribution was supposed to be available as of July 1981 (currently unavailable).

[19]C.C.C.S.P., Fall 1979 Credit Enrollment, p. 8.

[20]Ibid.

[21]Ibid.

[22]College of Marin Registrar. Taken from official records, Fall 1979.

[23]C.C.C.S.P., Fall 1979 Credit Enrollment, p. 8.

[24]A warning was given in the first page of the 1980 Advance Census Report as to the provisional nature of the data; it was not to be considered as final.

[25]1980 Advance Census Report.

[26]Ibid.

[27]Ibid.

[28]Ibid.

[29]Office of the President, College of Marin.

[30]Dr. Louis Bender, Seminar materials presented Fall 1981, Nova University.

[31]1980 Advance Census Report, pp. 1-20.

[32]Alfreda Johnson and Richard Turner, III, p. 9.

[33]Marin County serves as the geographical area which is defined through law as the "service area" for College of Marin.

[34]Marin County has little racial diversity; as a consequence, College enrollment reflects the local service area.

[35]It is against the codes to recruit large numbers of students from other service areas.

[36]A considerable number of the faculty were County residents. Many were secondary school teachers who moved up to the community college. They were reflective of the attitudes and values of the area.

[37]Informants, long-time County residents.

[38]Marin County Board of Realtors and Marin County Planning Commission.

[39]Marin County Board of Realtors.

[40]Marin County Planning Commission.

[41]The Lawyers Co-operative Publishing Company.

[42]In 1975-76, 289 minority members received M.A. Degrees in California, while non-minority members received 4,710 M.A. Degrees during the same time period: U.S., Department of Health, Education and Welfare, Data on Earned Degrees Conferred from Institutions of Higher Education Academic Year 1975-76 (Washington, D.C.: Office of Public Affairs, 1978).

[43]Ibid.

[44]The Lawyers Co-operative Publishing Company, p. 492.

[45]Ibid., p. 504.

[46]Ibid., p. 497.

[47]Centra, p. 31.

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AREA CLASSIFICATIONS AND DEFINITIONS—Con.

Race. Counts of the population by race as well as Spanish origin in this report are provisional. Final counts for race as well as Spanish origin will be determined after the sample data have been processed. The sample counts will first appear in *Characteristics of the Population, General Social and Economic Characteristics,* PC80-1-C reports.

Information on race was obtained through self-identification; therefore, the data represent self-classification by people according to the race with which they identify themselves. Population counts in this report are shown for five racial groups: White; Black; American Indian, Eskimo, and Aleut; Asian and Pacific Islander; and other.

The category "White" includes persons who indicated their race as White, as well as persons who did not classify themselves in one of the specific race categories listed on the questionnaire but entered a response suggesting European origin such as German, Italian, or Polish. (In the 1980 census, persons who did not classify themselves in one of the specific race categories but reported entries such as Cuban, Puerto Rican, Mexican, or Dominican were included in the "other" races category; in the 1970 census, most of these persons were included in the "White" category.)

The category "Black" includes persons who indicated their race as Black or Negro, as well as persons who did not classify themselves in one of the specific race categories listed on the questionnaire but reported entries such as Jamaican, Black Puerto Rican, West Indian, Haitian, or Nigerian.

The category "American Indian, Eskimo, and Aleut" includes persons who classified themselves as such in one of the specific race categories. In addition, persons who did not report themselves in one of the specific race categories but reported the name of an Indian tribe were classified as American Indian.

The category "Asian and Pacific Islander" includes persons who indicated their race as Japanese, Chinese, Filipino, Korean, Asian Indian, Vietnamese, Hawaiian, Guamanian, or Samoan. Persons who did not classify themselves in one of the specific race categories but reported entries indicating one of the nine categories listed above were classified accordingly. For example, reported entries of Nipponese and Japanese American were classified as Japanese; entries of Taiwanese and Cantonese as Chinese, etc.

The category "Other" includes Asian and Pacific Islander groups not identified separately (e.g., Cambodian, Indochinese, Pakistani, Indonesian, Fiji Islander) and other races not included in the specific categories listed on the questionnaire. (Asian and Pacific Islander groups in the "other" category in 100-percent tabulations are included in the category "Asian and Pacific Islander" in sample tabulations.)

Spanish origin. As noted above, counts of the population by Spanish origin in this report are provisional. Final counts for Spanish origin will be determined after the sample data have been processed. The sample counts will first appear in the PC80-1-C reports.

Persons of Spanish origin or descent are those who classified themselves in one of the specific Spanish origin categories listed on the questionnaire—Mexican, Puerto Rican, or Cuban—as well as those who indicated that they were of other Spanish/Hispanic origin. Persons reporting "other Spanish/Hispanic" origin are those whose origins are from Spain or the Spanish-speaking countries of Central or South America, or they are Spanish origin persons identifying themselves generally as Spanish, Spanish American, Hispano, Latino, etc. Origin or descent can be viewed as the ancestry, nationality group, lineage, or country in which the person or person's parents or ancestors were born before their arrival in the United States. Persons of Spanish origin may be of any race.

Housing units. A housing unit is a house, an apartment, a group of rooms, or a single room, occupied as separate living quarters, or if vacant, intended for occupancy. Separate living quarters are those in which the occupants live and eat separately from other persons in the building and have direct access from the outside of the building or through a common hall. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements. Both occupied and vacant housing units are included in the housing inventory, except that tents, caves, boats, vans, and the like are included only if they are occupied. Vacant mobile homes are included, provided they are intended for occupancy on the site where they stand. Vacant mobile homes on dealers' sales lots, at the factory, or in storage yards are excluded from the housing inventory.

The 1980 figures in this publication are subject to change pending the outcome of the various lawsuits dealing with the census counts.

JUL 29 1983

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